#### FOREST LAND ENHANCEMENT PROGRAM

#### **IOWA STATE PRIORITY PLAN**

#### I. General Information, Background (Program Purpose, Audience, Beneficiaries) (Section 1)

- a. The Forest Lands Enhancement Program (FLEP) is authorized under the Cooperative Forestry Assistance Act of 1978 as amended by the Farm Security and Rural Investment Act of 2002, and is established to provide additional financial assistance to State Foresters to encourage the long-term sustainability of non-industrial private forestlands (NIPF).
- b. This State Priority Plan, (SPP) sets forth the rules and procedures by which FLEP will be administered by the Iowa Department of Natural Resources, Bureau of Forestry (IDNR/BOF) to promote sustainable forest management practices on non-industrial private forest land. The resource management expertise and the educational and financial assistance provided under the Program shall complement rather than replace or duplicate any existing state and/or federal programs providing assistance to non-industrial private landowners. Management activities and practices funded under this program shall be designed to provide multiple resource benefits.
- c. Iowa has 55,400 woodland owners and 2.5 million acres of woodland. Prior to 1830, Iowa contained 7 million acres of woodland. Iowa currently contains 93,500 farms and 32,720,000 farmable acres. Further background data can be found in the State Forest Stewardship Plan found in appendix 3 of this document.
- d. A description of the concerns and threats related to Iowa NIPF lands and to Iowa NIPF landowners can be found in appendix 3 of this plan "Iowa Forest Stewardship Plan: An Overview of Forest Stewardship in Iowa".
- e. Program practices shall be in accordance with IDNR/BOF "Forestry Practices Manual Technical Guide". Practices not addressed in the IDNR Tech Guide will use NRCS specifications where applicable.
- f. Apportionment of funds received under this program should result in a balanced and coordinated state and federal program that provides management expertise, financial assistance, and education to NIPF owners. State and other programs will be used to complement the program objectives. FLEP funds will be utilized to complement state Resource Enhancement and Protection (REAP) funds, which provides assistance to NIPF owners. Although REAP funds have been a critical component for accomplishing forestry on the ground, demand for funds have consistently outstripped supply. Utilization of FLEP funds will complement REAP funds which will result in increased acres of reforestation, forest stand improvement, and wildlife habitat on NIPF lands in the state. FLEP funds will also complement Environmental Quality Incentive Program (EQIP) and Wildlife Habitat Incentive Program (WHIP) funds that are being utilized in Iowa to improve water quality and woodland wildlife habitat.
- g. Currently the State employs 16 field foresters who work primarily on private lands, while Cooperative Extension provides landowners with educational programming and materials. The IDNR/BOF and Iowa State University Forestry Extension often work together to educate NIPF owners. FLEP may be used to augment gaps in the service, education, and financial assistance offered to NIPF owners that are not being addressed with existing programs.
- h. Technical assistance to implement FLEP practices will be provided by the IDNR/BOF. The IDNR Bureau of Wildlife, the IDNR Bureau of Fisheries, consulting foresters, and other natural resource professionals may also provide technical assistance for FLEP implementation; however, only IDNR/BOF District and Enhancement Foresters will be authorized by the State Forester to approve cost-share applications. FLEP applications will be made available at the county Soil & Water Conservation District offices upon request.

- i. The FLEP educational program will include technical training to resource professionals to improve efficiency and effectiveness in the implementation of FLEP practices. Grants may be provided to Cooperative Extension and/or other sources to provide additional education opportunities to NIPF landowners. Evaluation of the educational activities will be provided by course evaluation and surveys.
- j. Authority for the IDNR/Bureau of Forestry to implement the FLEP program is authorized under Iowa Administrative Code Chapter 74. This administrative rule is intended to implement Iowa Code section 461A.2 (See Appendix 1 for Administrative Rule).

#### II. National Program Administration (Section 2) The USDA Forest Service Chief will:

- a. Provide general program oversight.
- b. Distribute funding to states.
- c. Be guided by the rules to distribute funds.
- d. In consultation with IDNR/BOF develop priorities and practices in addition to national priorities of tree planting, forest stand maintenance and improvement.
- e. Review State Priority Plans and provide concurrence.
- f. Distribute funds with no required match, in one payment of the total amount annually upon concurrence of the Regional Forester of the SPP.
- g. Retain final authority to resolve issues which may arise.

#### III. State Program Administration (Section 3)

- This State Priority Plan (SPP) is developed and will be maintained to establish program priorities, policies and procedures. In implementing the program, Iowa shall target resources to achieve the objects of the federal program by providing educational opportunities, technical assistance, and financial assistance for landowners that participate in the program. Iowa's objectives are in complete accordance with the federal objectives. The federal objectives of this program are to invest in practices to establish, restore, protect, manage, maintain, and enhance the health and productivity of the NIPF and other lands in the United States for timber, habitat for flora and fauna, soil, water, and air quality, wetlands, and riparian buffers. The program targets afforestation, reforestation, improvement of poorly stocked stands, timber stand improvement, practices necessary to improve seedling growth and survival, and growth enhancement practices where needed to enhance and sustain the long-term productivity of timber and non-timber forest resources to help meet future public demand for all forest resources and provide environmental benefits. Other objectives are to reduce the risks and to help restore, recover, and mitigate the damage to forest caused by fire, insects, invasive species, disease, and damaging weather among other benefits.
- b. The plan will outline program policies, priorities and procedures necessary to accomplish the objectives. This plan has been developed by the State Forester with concurrence of the State Stewardship Coordinating Committee, a broad based multi-partner group, and with the consideration of public input. The draft SPP was published on the IDNR/BOF web site and invitations extended to a FLEP public hearing. The public was also encouraged through the web-site to provide written and verbal comments to the State FLEP Coordinator if they were unable to attend the public hearing. Outreach to all NIPF landowners, including limited resource producers, will be made through the IDNR Forestry Bureau web-site, through articles in the Iowa DNR Conservationist magazine, through statewide press releases, and through Bureau sponsored Forestry Field days.
- c. The plan will become effective upon receipt of program funding to the state, and continue through FY 2007. However, the plan can be revised, if necessary, on an annual basis.
- d. Responsibilities
  - i. The USDA Forest Service Chief will: See section II of this SPP.
  - ii. State Forester will:
    - 1. Develop and maintain state priority plan to establish program priorities, policies and procedures.

- 2. Document SSCC program involvement.
- 3. Administer FLEP Funding.
- 4. Monitor program progress.
- 5. Report accomplishments to USDA-FS.
- iii. State Stewardship Coordinating Committee will:
  - 1. Review, develop, and approve of the State Priority Plan.
  - 2. Monitor program progress and effectiveness.
  - 3. Other State specific duties.
- e. Upon receipt of FLEP funding the program will be administered by IDNR/BOF.
- f. The program's progress will be monitored by IDNR/BOF staff. Accomplishments reporting will made using standard reporting procedures.
- g. This plan has been developed by the State Forester with concurrence of the State Stewardship Coordinating Committee and with the consideration of public input.
- h. Upon completion, the SPP will be submitted to the USFS for concurrence.
- i. The baseline data on the forest resources of the State can be found in the State Stewardship Plan.
- j. FLEP allocations will be made to individual forestry districts based upon the District's woodland acres and the demand for funds. Funds will be distributed within each District on a first come first serve basis; however, larger projects that offer significant environmental benefit can be given priority over smaller projects (assuming adequate FLEP funds are available). Districts will be provided a FLEP ledger to track their district allocation and track the allocation of funds to landowners in their District. District ledgers will be periodically e-mailed to the State FLEP coordinator who will monitor all ledgers and applications to insure that the program is well managed and consistently applied throughout the State.
  - i. Any District that cannot allocate all funds within six months will have the unallocated funds recalled by the Forestry Services Section Leader. These recalled funds will be reallocated to forestry districts which have a backlog of unfunded projects. The Forestry Services Section Leader will determine which Districts receive supplemental funding.
  - ii. Project slippage will be returned to the Forestry Services Section Leader who will reallocate funds within the State.
- k. Priorities are established by establishing different maximum payments.
  - i. The FLEP cost-share program will be used to augment the existing state and federal programs and provide cost-share funds for multiple use practices. FLEP cost-share rates were determined by reviewing costs in other programs, surveying forestry consultants and vendors, and utilizing the Iowa State University Extension research on custom rated for forestry practices in Iowa.
  - ii. Depending on the total allocation to the state, it is anticipated that, approximately 20% of the funds will be retained for program administration, technical training, and education. Approximately 80% of the funds will be used for direct cost-share assistance to non-industrial private landowners.
    - 1. The administrative portion retained by IDNR/BOF will be used to support program oversight including processing applications, issuing payments and maintaining program records and documentation. This portion will be 10% of the State's FLEP allocation.
    - 2. The educational portion may be used to provide grants to Cooperative Forestry Extension for non-industrial private landowner educational opportunities and for technical training to resource professionals. This portion will be 5% of the State's FLEP allocation. Success of these education and outreach efforts will be measured by monitoring FLEP demand among NIPF owners and by monitoring the number of Stewardship Plans cost-shared through FLEP that have been written by consulting foresters. It is the goal of these education and outreach

- programs to provide consulting foresters with the necessary training to become FLEP promoters and providers.
- 3. The technical assistance (TA) portion will be retained to offset a small portion of the field forester time which will be utilized to implement FLEP. This portion will be 5% of the State's FLEP allocation. These funds will complement and support Iowa DNR Bureau of Forestry's existing technical assistance program. FLEP technical assistance and accomplishments will be tracked through utilization of an electronic FLEP ledger. This ledger will capture accomplishments and track FLEP funding. The short and long term effect of spending these TA dollars will be increased FLEP accomplishments and increase stewardship of Iowa's natural resources.
- 1. Cost-share will be made available according to section VIII.
- m. Eligible practices are found in section VI.
- n. Payment of cost-share is covered in section IX. Cost-share rates were developed based on the experience with past state and federal cost share programs such as REAP, FIP, EQIP, and SIP and by surveying forestry consultants and vendors.
- o. The plan will address:
  - i. Application procedure, see section VIII
  - ii. Approval process, see section VIII
  - iii. Contract length, see section IX
  - iv. Cancellation of practice, see section IX
  - v. Certification of performance, see section IX
  - vi. Payment, see section IX
  - vii. Maintenance and compliance, see section V
  - viii. Recapture of funds, see section XI
  - ix. Appeals procedures, see section XII
- p. The SPP will be displayed on the IDNR/BOF web site and available upon request.

### IV. Eligibility Requirements (Section 4)

- a. Who qualifies for FLEP assistance
  - i. All non-industrial private landowners qualify for FLEP. Owner means any private individual, group, association, corporation, Indian tribe or other native group, or other private legal entity, excluding corporations whose stocks are publicly traded or legal entities principally engaged in the production of wood products.
  - ii. All non-industrial private landowners, including those who produce forest products on a part-time or intermittent basis, who meet the requirements of this section, are eligible to apply for and receive assistance under the program without regard to race, color, religion, national origin, age, sex, marital status, or handicap.
  - iii. IDNR personnel are eligible for FLEP. Projects on land belonging to full-time IDNR employees must be approved or disapproved by the Forestry Services Section Leader.
  - iv. Public ownerships do **NOT** qualify for FLEP.
- b. Minimum acreage ownership or minimum project size: Landowners must have at least two (2) acres of non-industrial private forestland (NIPF), or non-forest acres scheduled to be afforested. Two acres will be the minimum project size.
- c. Landowners must agree to maintain FLEP practices for a minimum of 10 years unless otherwise designated by the State Stewardship Coordinating Committee (SSCC). Landowners who fail to maintain the practice for 10 years may be required to repay all or part of their cost-share to the IDNR/BOF.

d. Landowners must have a copy of the FLEP application, which references the 10 year maintenance agreement, on record at the county court house in the county in which the property resides.

#### V. Forest Management Plan (Section 5)

- a. Landowners must have an approved Woodland Stewardship Plan to qualify for FLEP funding (except FLEP1). The Woodland Stewardship Plan must meet the minimum criteria for Stewardship Plans as outlined in Iowa's State Stewardship Plan (see appendix 3). The plan will describe projects and activities to be carried out by the landowner, consistent with the landowner's objectives. The Plan shall include environmental considerations.
- b. Stewardship Plans must be approved by the District or Assistant District Forester. Deviation from the approved Management Plan may result in the practice being considered non-compliant. Non-compliant practices will not be funded.

### VI. Program Practices (Section 6)

- a. Activities under each practice, cost-share percent, and maximum payment are in Appendix #2. Cost-share for FLEP practices cannot exceed 75% of total practice costs. FLEP practices are as follows:
  - i. FLEP1-Forest Stewardship Plans
  - ii. FLEP2-Afforestation/Reforestation
  - iii. FLEP3-Forest Stand Improvement
  - iv. FLEP4-Agroforestry
  - v. FLEP5-Water Quality Improvement and Watershed Protection
  - vi. FLEP6-Fish and Wildlife Habitat
  - vii. FLEP7-Forest Health and Protection
  - viii. FLEP8-Invasive Species Control
  - ix. FLEP9-Fire and Catastrophic Risk Reduction
  - x. FLEP10- Catastrophic Event Rehabilitation
  - xi. FLEP11- Special Practices
  - b. The Unites State Forest Service, Northeastern Area has required prioritization of FLEP practices as high, medium, or low priority practices. They are also requiring justifications for these decisions. The priorities and justifications are as follows:
    - i. High Priority Practices FLEP 2, FLEP 3 & FLEP 7. FLEP 7 is a high priority practice in districts 1, 2, and 4 only.
      - i. FLEP 2 Although other programs exist for reforestation they are insufficiently funded to meet current demand levels.
      - ii. FLEP 3 Although other programs to cost-share on forest stand improvement exist they are insufficiently funded to meet current demand.
      - iii. FLEP7 Forest Health is a high priority practice in Forestry Districts 1, 2, and 4. This practice is prioritized higher in these districts to provide additional opportunities to slow the spread of Gypsy Moth into Iowa.
    - ii. Medium Priority Practices FLEP 1, FLEP 6, FLEP 7, FLEP 8 and FLEP 11.
      - i. FLEP 1 The majority of Forest Stewardship Plans are currently written by IDNR Foresters; therefore, cost-sharing on these practices is a medium priority given the limited amount of FLEP dollars available.
      - ii. FLEP 6 Iowa is expected to receive significant funding through the Wildlife Habitat Incentive Program (WHIP). A portion of these funds have been targeted for forestry practices that improve wildlife habitat.
      - iii. FLEP 7 Due to the limited amount of funds available practices in this category are given medium priority throughout the majority of the

- State. However, FLEP 7 will be a high priority practice in Forestry Districts 1, 2, and 4.
- iv. FLEP 8 Invasive woodland species problems in Iowa have no clear solution. The effectiveness of treatment depends on several factors including the current extent of the infestation, repeated treatments, and the presence of invasive species on adjacent land. Because the success of this practice is dependent on numerous factors that may be out of the control of the applicant it is given a medium priority. Invasive species control can also be funded through WHIP.
- v. FLEP 11 Due to limited funding savanna projects and other special practices are medium priorities.
- iii. Low Priority Practices FLEP 4, FLEP 5, FLEP 9, FLEP 10
  - i. FLEP 4 Demand for agroforestry practices in Iowa are not high.
  - ii. FLEP 5 Water quality practices and riparian buffers can be funded through other sources and programs.
  - iii. FLEP 9 Due to limited funding other practices have been prioritized at a higher level.
  - iv. FLEP 10 Due to limited funding other practice have been prioritized at a higher level.
- c. In the application and use of pesticides, including biological, chemical, and behavioral substances, practice performance shall meet all label requirements, State and Federal regulations, and local ordinances.
- d. Anyone who carries out practices under this Program shall be responsible for obtaining the authorities, rights, easements, or other approvals necessary to the performance and maintenance of the practices in keeping with applicable laws and regulations.
- e. Special Practices (FLEP11) can be, but or not limited to, demonstration practices. All FLEP11 practices and cost-share rates must be approved by the State Forester.
- f. Iowa FLEP funds will not be piggy-backed with Conservation Reserve Program Funds.
- g. Iowa FLEP funds will be used if necessary to perform rescue treatment on tree plantings/direct seedings.

#### VII. Fund Distribution (Section 7)

- Regional allocations will be made based upon the percentage of woodlands in each Forestry District as follows:
  - i. District 1 11.5%
  - ii. District 2-7%
  - iii. District 3 7%
  - iv. District 4 10%
  - v. District 5 8%
  - vi. District 6 10.5%
  - vii. District 7 10%
  - viii. District 8 10%
  - ix. District 9-6%
  - x. District 10 4%
  - xi. District 11 7%
  - xii. District 12 3%
  - xiii. District 13 6%
- b. Practices will be funded based upon whether they are high, medium, or low priority practices at the forestry district level. Priority practices will be funded immediately if funds are available. Medium priority practices will be funded after a two week period has elapsed from the reception date of the funds. Low priority practices will be funded after a four week period has elapsed from the reception of funds. Medium and low priority practices will be funded within the district only after all high priority practices have been funded.

- c. Funds that are not allocated in a District within six months of initial availability will be reallocated by the Forestry Services Section Leader to other Districts based on individual District backlog, eligible projects, and remaining availability of FLEP funds.
- d. Each Forestry District will keep a FLEP ledger which will be updated upon approval of FLEP applications. After project completion any slippage will be returned to the Forestry Services Section Leader.

#### VIII. Application and Approval (Section 8)

- a. Applications will be taken at any IDNR/BOF district office or submitted to the District Forester. Applications will also be taken in the field by the District Forester.
- b. Applications will be taken by District Foresters using the *Form FLEP 1 Iowa DNR Bureau of Forestry Cost-share Application (see appendix 4)*. Only Bureau of Forestry personnel will approve FLEP projects.
- c. The District Forester will approve cost-share projects after determining the landowner has filled out an application and has a management plan. The District Forester will also determine that the practice is needed and feasible, and the practice is consistent with funding priorities.
- d. Applications will not be approved unless cost-share funds are available.
- e. All approved projects will have a written management plan approved by the District Forester. Management Plans will contain specifications for completing and maintaining the practice (excludes FLEP1).
- f. When the application is approved, the landowner will be given a copy of the application and informed the project can start. A copy of the approved application will also be sent to the Forestry Supervisor.
- g. The District Forester can develop and maintain a FLEP backlog by accepting FLEP applications after the District's FLEP funds have been allocated. These projects will not be funded until funds become available.

#### IX. Payment to Landowners (Section 9)

- a. The landowner will have 18 months to complete a practice. If factors beyond the control of the landowner delay the practice completion, a 3 month extension can be granted. Practices not completed by the end of the contract will be cancelled.
- b. Upon certification by the State Forester or the State Forester's authorized representative that the practice has been completed in accordance with specifications the State Forester or his authorized representative will:
  - i. Calculate the cost-share payment.
  - ii. Submit a voucher and completed FLEP Form 1 to the Central Office.
  - iii. Submit a copy of completed FLEP Form 1 to the Forestry Services Section Leader.
  - iv. Return slippage to the Forestry Services Section Leader.
- c. The Central Office will process vouchers and disperse payment to landowner
- d. FLEP payments can not exceed 75 percent of the actual costs incurred by a participating owner. Non-Federal program funds and other donated assistance may be used to supplement cost-share under the program; however, the total of all funds and assistance shall not exceed 100 percent of the actual cost of practice implementation.
- e. Partial payments will not be allowed in the Iowa FLEP.
- f. Payment will be made to applicant only. Applicant must own the property on which the practice is installed.
- g. The State Forester or his authorized representatives shall have the right of access to the owner's property to inspect practices for the duration of the practice maintenance period. Where performance actually rendered does not meet the minimum specifications of a practice due to factors deemed to be within the control of the landowner or if the approved management plan is not followed payment can be denied.

- h. Where performance actually rendered does not meet the minimum specifications of a practice due to factors beyond the landowner's control, the State Forester or designee may approve cost-share payment under one of the following conditions:
  - i. The landowner repeats applications of components previously implemented or establishes additional eligible components under such terms and conditions as the District Forester may require; or
  - ii. The landowner establishes to the satisfaction of the State Forester or authorized representative that a reasonable effort was made to meet the minimum requirements; and the practice, as performed, adequately meets the objectives of the landowner as described in the forest management plan.
- i. In case of death or incompetence of any landowner, the State Forester shall approve costshare to the successor if the successor agrees to maintain the practices for the duration of the required maintenance period.
- j. No financial assistance or portion thereof due and owing any landowner shall be subject to any claim arising under State law by any creditor, except agencies of the United States Government.

#### X. Prohibitions. (Section 10)

- a. No financial assistance funds shall be paid for the following:
  - i. Costs incurred before an application for cost-share is approved; and
  - ii. No cost-share shall be paid for repeating practices on the same site by the same landowner which has been implemented under any other Federal, State, or local government programs, or private sector programs, except where such practices are repeated due to a failure of a prior practice without fault of the landowner or where such practices are approved by the District Forester and outlined in a Forest Stewardship Plan.
- b. No program funds shall be expended by a recipient for capital investments, capital improvements, purchase of land or any interest in land, or any interest in an endowment.

#### XI. Recapture of Payment. (Section 11)

- a. If any owner, successor, or assignee uses any scheme or device to unjustly benefit from this program, the financial assistance funds shall be withheld or a refund of all or part of any program payments otherwise due or paid that person shall be secured. A scheme or device includes, but is not limited to, coercion, fraud or misrepresentation, false claims, or any business dissolution, reorganization, revival, or other legal mechanism designed for or having the effect of evading the requirements of this subpart.
- b. If any owner or successor takes any action or fails to take action, which results in the destruction or impairment of a prescribed practice for the duration of the practice, financial assistance funds shall be withheld or a recapture of all or part of any program payments otherwise due or paid shall be secured based on the extent and effect of destruction and impairment.
- c. If an owner sells, conveys, or otherwise loses control of lands, upon which there is a continuing obligation to maintain a practice, and the new owner does not agree to assume the responsibility for maintaining the practice, the owner who was originally obligated to maintain the practice shall be liable to reimburse the State(s) for all cost-share on such practices, provided the owner has failed to record the FLEP maintenance agreement at the county court house.
- d. If the FLEP maintenance agreement was filed properly at the county courthouse, the new owner will be liable for maintaining the practice.
- e. Nothing in this section requiring the withholding or refunding of financial assistance funds shall preclude any penalty or liability otherwise imposed by law.
- f. Where the owner has received cost-share for any practice that has been unsuccessful, due to factors beyond the owner's control, the District Forester may require that the practice be re-established and shall approve cost-share for such activity.

#### XII. Reconsideration. (Section 12)

Any owner, successor, or assignee who is dissatisfied with any determination made under the program may request reconsideration by the State Forester and, if the matter is still not resolved, by the USDA Forest Service Area or Field Office Forester. All requests for reconsideration shall be in writing and shall contain factual information explaining the basis for requesting reconsideration. All decisions upon reconsideration shall be issued in writing.

#### XIII. Goals. (Section 13)

The goal of the Iowa FLEP program is to maximize on-the-ground accomplishments on private lands. High priority FLEP practices (reforestation, forest stand improvement, and forest health) will utilize the majority of FLEP dollars in the State. Based on initial projections of FLEP funds available to Iowa, FLEP should fund approximately 3,600 acres of timber stand improvement and 300 acres of reforestation. If more FLEP money was to become available for Iowa accomplishments would increase accordingly. The demand for NIPF cost-share dollars in Iowa is estimated, based upon historical data and backlog information, to be approximately \$1,000,000 annually.

#### XIV. Information Requirements. (Section 14)

These rules are intended to implement the Forest Land Enhancement Program under the authority of Iowa Code 461A.2.

#### Appendix 1

### Chapter 74

### Forest Lands Enhancement Program (FLEP)

**571–74.1(461A) Purpose:** The purpose of this chapter is to define procedures by which federal, state, or private monies designated for cost-sharing forestry practices on private lands may be utilized for that purpose.

#### 571-74.2(461A) Definitions.

"Department" means the Iowa department of natural resources and its designated representatives.

"FLEP" means the forest land enhancement program.

"Forest stewardship committee" means a committee of individuals from state, federal, county, and private institutions who serve as an advisory board to the department on forest stewardship issues.

"Private lands" means lands not owned by federal, state, county, or local governments.

"Private monies" means any money from an individual or entity that is not a unit of federal, state, county, or local government.

571-74.3(461A) Project scope. This program will provide forestry cost-sharing assistance to private landowners primarily through the forest land enhancement program (FLEP). The primary source of funding shall be federally allocated funds however other public or private funds may be utilized if available. These funds will be used for conservation tree and shrub planting such as reforestation, wildlife habitat establishment, forest riparian buffer establishment, timber stand improvement and other forestry enhancement projects on private land as approved by the department and the state forest stewardship committee.

**571-74.4(461A) Availability of funds:** Funds to institute FLEP landowner cost-share assistance will primarily be derived through federal allocations pursuant to Title VIII, subtitle A, section 8002 of the Farm

Security and Rural Investment Act of 2002, which amends the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2102). Availability of funds will vary based upon the federal allocation from the USDA Forest Service. Funding through the 2002 Farm Security and Rural Investment Act should be available through 2007. Allocations from other available public or private sources may be used for the purpose of this program at the discretion of the department.

- a. Allotments for this program. Funds available for landowner assistance shall be dependent upon the allocation designated to the department from the USDA Forest Service.
- b. Additional funding. To maximize forestry conservation practices the department may accept contributions from any governmental or private entity or individual for the purpose of cost-sharing approved forestry practices on private lands.

**571–74.5(461A) Forest lands enhancement program areas:** This rule delineates eligibility and procedures for cost-share assistance for forestry practices.

- a. Eligibility. The FLEP is available statewide except that funds from a specific funding entity may be earmarked for cost-share assistance in a specific geographic region of the state. To be eligible for cost-share assistance, individual landowners must have a forest stewardship plan approved by the department and enter into a written agreement with the department specifying the obligations of each party.
  - b. Applications. Applications will be accepted only from those eligible as noted above.
  - (1) Applications must be on forms furnished by the department.
  - (2) Applications must be signed by the landowner and by the department.
- c. Project review and selection. Project applications will be reviewed separately for each department forestry district. Department district foresters in each district will recommend what projects are approved and the total amount of cost-share funds to be allocated to the landowner. The department will have final approval over projects.
- d. Contract agreements. The department is authorized to enter into agreements with landowners to carry out the purpose of this program.
  - (1) Agreement forms will be provided by the department. They shall state the terms of the agreement including, but not limited to, conservation practices to be implemented, total project cost, and cost-share dollars allocated for the specified practices.

- (2) The approved forest stewardship plan shall be considered a part of the contract.
- (3) Cost-sharing assistance will not be provided unless both parties have signed an agreement.
- (4) Contract periods will not be approved for any period less then ten years in duration.
- (5) Contracts may be amended by mutual agreement of both parties.
- e. Specifications and guidelines. Forestry practices must conform with department's "Forestry Practices Manual: Technical Guide."
- f. Cost-sharing rates. The department, with input from the state forest stewardship committee and in accordance with USDA Forest Service policies, shall set cost share rates and payment maximums for each authorized forest conservation practice.
- g. Reimbursements. Cooperators shall submit billings for reimbursements on forms provided by the department.
  - (1) Billings shall be submitted immediately after project completion and within 18 months of project approval.
  - (2) Billings shall include documentation on all costs incurred for the project.
  - (3) Reimbursements shall not be made unless the landowner has fulfilled obligations as specified in the contract.
  - (4) Billings shall be approve or disapproved by the department's district or assistant district forester after inspection of the project.

**571–74.7(461A)** Cost reimbursement: Whenever a landowner has been found to be in violation of a contract specified in this rule, the department may cancel the contract and the landowner shall reimburse the department for the full amount of any payments received from the FLEP. The requirements and procedures for recovering expended funds in the event of a violation of the contract shall be established in the contract.

These rules are intended to implement Iowa Code subsections 455A.13(1) and 456.24(13).

### Appendix # 2

### **FLEP Practices and Components in Iowa**

## FLEP 1, LANDOWNER FOREST STEWARDSHIP PLAN DEVELOPMENT

IF the component is	% of total cost	Not to Exceed \$/unit
Forest Stewardship Plan, new or revised	75 %	\$100 base payment up to 20 acres \$5 / acre above 20 acres
(must meet Stewardship criteria)		actes \$5 / acte above 20 actes

IF the component is	% of total cost	Not to exceed \$/unit		
Tree Planting/Direct Seeding Allowable cost for reforestation/afforestation: (includes site preparation, tree shelters, and weed barriers)	75	600 / acre		
control of competition & undesirable species (heavy site prep)	75	175 / acre		
Field windbreaks/Shelterbelts	75	600/ acre		
fencing – to exclude cattle from planted areas, except	75	1.25 / foot		
along boundaries and roads temporary electric fence to exclude wildlife	75	.75 / foot		
from tree planting Rescue Treatment	75	75 / acre		
animal repellents				
fertilizer/lime				
the purchase or establishment of plant materials for or nursery	chard, ornamental, or	Not		
practices that impair soil productivity		Authorized		
repeated prescribed burning on the same acreage				
firebreaks, gates				

FLEP 3, FOREST STAND IMPROVEMENT

IF the component is	% of total cost	Not to exceed \$/unit		
control of competition & undesirable species	75	175 / acre		
fencing – (to exclude cattle from hardwoods, not adjacent to roads or boundaries)	75	1.25 / foot		
noncommercial thinning, crop tree release, TSI	75 150 / acre			
noncommercial thinning to renovate an existing windbreak or shelterbelt	75	150 / acre		
Repeated prescribed burning on the same acreage not to exceed 3 times in 10 years (burning cannot be for pasture improvement)	75	45 / acre		
improvement of orchard, ornamental, nursery, or Christmas trees, mowing between planted trees or shrubs, firebreaks	Not Authorized			

### FLEP 4, AGROFORESTRY IMPLEMENTATION

IF the component is	% of total cost	Not to exceed \$/unit		
plant material/seed purchase & installation	75	600 / acre		
control of competition & undesirable species	75	175 / acre		
fencing (to control livestock)	75	1.25 / acre		
the purchase or establishment of plant material for orchard, ornamental, or nursery	Not Authorized			

FLEP 5, WATER QUALITY IMPROVEMENT AND WATERSHED PROTECTION

IF the component is	% of total cost	Not to exceed \$/unit	
plant material/seed purchase & installation (riparian buffers, understory restoration)  fencing –minimum 35' from stream – to exclude cattle from management area. Areas not along roads or boundaries	75 75	600 / acre 1.25 / foot	
control of competition & undesirable species	75	175 / acre	
road or trail construction or maintenance, riprap, gates, bridges one that would directly or indirectly result in the loss of wetlands one that would impair wetland or riparian functions & values	Not Authori	zed	

FLEP 6, FISH AND WILDLIFE HABITAT IMPROVEMENT

% of total cost	Not to exceed \$/unit		
75	600 / acre		
75	1.25 / foot		
75	15 / acre		
75	45 / acre		
75	200 / acre		
75 150 / acre			
75	60 / acre		
75	600 / acre		
75	40 / acre		
Not Authorized			
	75 75 75 75 75 75 75 75 75		

### FLEP 7, FOREST HEALTH AND PROTECTION

IF the component is	% of total cost	Not to exceed \$/unit	
forest stand improvement, thinning, crop tree release	75	150 /acre	
fencing to exclude livestock	75	1.25 /foot	
Trenching for oak wilt	75	1.00 / foot	

### FLEP 8, INVASIVE SPECIES CONTROL

IF the component is	% of total cost	Not to exceed \$/unit			
control of competition & undesirable species	75	150 / acre			
prescribed burning	75 45/acre				
One that would have an adverse effect on any threatened or endangered species; water facilities to benefit livestock; structure for human benefit; supplementing a "put & take" wildlife operation; orchard production; ornamental or nursery production; culverts; development of green tree reservoir; riprap; pond installation; gates		Not horized			

### FLEP 9, FIRE AND CATASTROPHIC RISK REDUCTION

IF the component is	% of total cost	Not to exceed \$/unit	
Creating a firebreak repeated prescribed burning on the same acreage (not to exceed three times in 10 years)	75 75	60 / acre 45 / acre	
One that would have an adverse effect on any threatened or endangered species; water facilities to benefit livestock; structure for human benefit; supplementing a "put & take" wildlife operation; orchard production; ornamental or nursery production; culverts; development of green tree reservoir; riprap; pond installation; gates	Not Authorized		

### FLEP 10, FIRE AND CASTROPHIC EVENT REHABILITATION

IF the component is	% of total cost	Not to exceed \$/unit
Rehabilitate an area affected by catastrophic events such as but not limited to fire, tornados, wind storms, and/or ice storms.	75	600
One that would have an adverse effect on any threatened or endangered species; water facilities to benefit livestock; structure for human benefit; supplementing a "put & take" wildlife operation; orchard production; ornamental or nursery production; culverts; development of green tree reservoir; riprap; pond installation; firebreaks; gates		Not horized

### FLEP 11, SPECIAL PRACTICES

IF the component is a unique or special practice or demonstration project that does not fit into other categories and is approved by the State Forester.	% of total cost to be determined by State Forester	Not to exceed \$/unit to be determined by State Forester		
Savanna Restoration:				
control of competition of undesirable species.	75	200 / acre		
Plant material/seed purchase.	75	200 / acre		
Prescribed burning.	75	45 /acre		
Fencing to protect practice.	75	1.25 / foot		
intended to improve pasture for livestock	Not Authorized			

# IOWA FOREST STEWARDSHIP PLAN: AN OVERVIEW OF FOREST STEWARDSHIP IN IOWA

Revised 07/01/2003

#### PHILOSOPHY:

The Forest Stewardship philosophy stresses management of the entire forest environment. It is an approach to forest ecosystem management whereby multiple forest benefits, landowner goals, and land ethics are considered in a complete planning framework. The land stewardship ethic "... reflects a conviction of individual responsibility for the health of the land." (Aldo Leopold).

Forest stewardship planning is a process and this Forest Stewardship Plan represents the framework for that process. This plan must be implemented to capture the resource opportunities and benefits both for individual landowners and for the whole of society

#### **OBJECTIVE:**

The objective of Iowa's Forest Stewardship Program is to dramatically increase the number of private forestland acres that are managed as guided by the stewardship ethic. A five-year goal (2003-2007) is to place 140,000 acres under Stewardship management in Iowa. This Forest Stewardship plan will provide the framework for continuation of the State's Forest Stewardship Program.

#### STATE STEWARDSHIP COMMITTEE:

The 1990 Federal Farm Bill established the Forest Stewardship Program and the associated Stewardship Incentive Program (SIP). This legislation established financial assistance to the states for implementation of the Forest Stewardship Program. It also provided funds for SIP cost-share incentives to participating private landowners. In fiscal year 1998 the landowner cost-share portion of the program was eliminated. This 2003 Forest Stewardship Plan will serve as the framework to continue the implementation of the Stewardship Program. This plan is based on the advice of the State Stewardship Committee and approved by the State Forester.

The State Stewardship Committee's function is to advise the State Forester on the development and implementation of these programs. The State Forester appoints the Committee's members. These members include representatives from State agencies, federal agencies, forest landowners, forest products industry, forest consulting industry, conservation organizations, and environmental organizations. The committee is ongoing with individual members serving three-year terms. Members can be re-appointed for consecutive terms.

#### I. FUNDING:

The 2002 Farm Bill authorized continued funding of the technical assistance component of the Forest Stewardship Program. The authorization is for five years with annual federal appropriations set by legislative process. The technical assistance funding is based on a fifty/fifty match from the State. The State Forester is responsible for allocating funds to achieve Forest Stewardship Program implementation as outlined by this plan.

The 2002 Farm Bill also created the Forestland Enhancement Program (FLEP). FLEP was created to:

- 1. Strengthen the commitment of the Secretary of Agriculture to sustainable forest management to enhance the productivity of timber, fish and wildlife habitat, soil and water quality, wetland, recreational resources, and aesthetic values of forest land.
- 2. To establish coordinated and cooperative Federal, State, and local management, maintenance, enhancement, and restoration of forests on non-industrial private forest land.

FLEP is expected to deliver about \$750,000 to Iowa. Approximately eighty percent of this FLEP money will be used for landowner cost-share reimbursement as outlined in Iowa's FLEP Priority Plan. The remaining twenty percent will be utilized for technical assistance, program administration, and education.

FLEP will augment efforts in Forest Stewardship. Forest Stewardship Plans will be required to receive FLEP cost-share funds. Furthermore, the State Forest Stewardship Committee is required by law to provide input into the FLEP priority plan.

#### STATUS OF IOWA'S FOREST RESOURCE

#### FOREST INVENTORY:

The forests of Iowa once covered 6,680,000 acres or about 18% of the land according to the original land survey from 1832-1859. Early settlers did little clearing and logging until the value of farmland increased. Forests were then cleared for cropland or were heavily pastured. By 1954 there were only about 2,600,000 acres of Iowa forestland remaining.

Between 1954 and 1974 forest cover decreased dramatically. By 1974, according to a US Forest Service study, only 1,500,000 acres of Iowa forest remained. Continued conversion to cropland and pastureland was responsible for the decline. Since the late 1970's a continuing trend of poor agricultural markets and a declining cattle industry have reversed the trend of forest loss in Iowa. Previously grazed and pastured areas have reverted back to woodlands. A 1990 Forest Service Survey reported that Iowa's total forested area was 2,570,000 acres. Current FIA data suggest that Iowa's current timbered acreage is between 2.1 and 2.3 million acres.

#### LAND OWNERSHIP:

Based on the 1990 Forest Service Survey, 92 percent of Iowa's forestland is privately owned. There are an estimated 55,000 non-industrial private forest (NIPF) owners in the State. These private landowners own 1,787,700 acres of forestland. According to the survey, two-thirds of these owners are farmers. However, the last decade has seen an emerging trend of woodland ownership moving from traditional farmers to absentee landowners or non-farmers. These non-farm landowners generally do not derive their primary income from the land. In fact, they often own the land for recreational, aesthetic, or spiritual reasons.

### **CURRENT & FUTURE CHALLENGES FOR NIPF:**

According to the 2001 Iowa Forest Resource Plan and the consensus of the Stewardship Committee the current and future challenges to Iowa's private non-industrial forests are:

### 1. LACK OF AWARENESS OF FOREST VALUES

Only small portions of Iowa NIPF owners are aware of the multiple benefits of forest ownership. Even though Iowa Department of Natural Resources District Foresters have handled over 1,800 requests during 2000, NIPF owners may not be aware of forestry benefits or assistance or may be receiving misinformation concerning forestry.

#### 2. LIMITED MARKETS FOR LOW QUALITY HARDWOODS

Past surveys indicate that Iowa NIPF contain a large amount of low quality hardwoods. This material has limited commercial value. As the trend to liquidate high quality hardwoods, such as black walnut and red oak continues, NIPF might have even less economic incentives to pursue forest stewardship.

#### 3. ECONOMIC PRESSURES

Lack of capital to invest in long-term forestry practices, lack of federal and state cost-share incentives, and lack of time to consider forest benefits are definite problems in enticing Iowa NIPF owners to invest time and money into forest stewardship. Most NIPF owners feel that forest management provides minimal financial returns.

#### 4. HIGHLY ERODIBLE LAND

The 1985 Farm Bill provided legislation to force agricultural producers to implement federally acceptable conservation plans on the land. Unfortunately, the Natural Resources Conservation Service (NRCS), which assists landowners in designing conservation plans, has not traditionally addressed forest management practices in these plans. Opportunities exist to work with NRCS to more actively promote forest management practices.

#### 5. WATER QUALITY

Programs and efforts designed to improve water quality have become very important throughout the 1990's. Forested riparian buffer practices, funded through the Conservation Reserve Program, and focused funding watershed grants, funded through the US Forest Service serve as examples of programs using forest management practices to promote and improve water quality. In Iowa; however, the importance of tree planting and forest management practices to improve water quality are often overlooked.

#### 6. FRAGMENTATION AND URBANIZATION

As Iowa's population continues to shift from its traditional rural make-up to a more urbanized and suburban population, increased pressure is placed on the forest resources surrounding the State's metropolitan areas. This pressure generally takes the form of woodland being cleared for development

purposes or woodland being significantly altered to accommodate housing developments. Opportunities and challenges exist in developing strategies to work with small woodland owners, homeowners, and developers in these urban/rural interface areas.

#### 7. CHANGES IN OWNERSHIP PATTERNS

Over the last ten years there has been an increase in timberland shifting from traditional farmers to non-farmers who do not depend on the land as their primary income source. Studies suggest that these new owners primarily own the land for recreational, aesthetic, or spiritual reasons. Often these landowners have little or no experience with woodland management and are often unaware that woodland management assistance is available. However, these landowners may be more likely to implement forest management practices that improve the health, wildlife habitat, and/or aesthetic quality of their woodland. Strategies to reach these woodland owners need to be developed.

#### 8. INVASIVE SPECIES AND WILDLIFE DAMAGE

Invasive species such as garlic mustard, buckthorn, and honeysuckle, along with animal pressures (especially from white tailed deer) make reforestation efforts challenging and expensive. Efforts to provide landowners with cost-effective solutions to these problems continue; however, significantly more energy and resources need to be directed to solving these problems before irreparable damage is done to Iowa's woodlands.

#### 9. GREEN CERTIFICATION

Pressure is mounting on retailers of forest products to purchase "green" certified lumber or paper products. Green certified products are those products that can be proven to be grown on property that is managed in a sustainable fashion. If the forest certification movement continues to gain momentum, Iowa's forest owners may need to have their property or forest management practices certified as sustainable by a third party certifier to insure access to some markets for their forest products. However, the expense of certification may prohibit many small NIPF owners from becoming certified. Opportunities and challenges exist in developing a viable and inexpensive means of green certification for small woodland owners in Iowa.

#### 10. FOREST HEALTH

Forest health issues are of increasing concern in Iowa. The front of the Gypsy moth infestation is moving slowly but steadily towards Northeast Iowa. Currently, there is an unidentified disease problem or syndrome causing patches of white oak mortality in northeast Iowa. Invasive species issues also may have long term forest health repercussions. Through utilization of focused Stewardship funding, EQIP, WHIP, REAP, and FLEP efforts are under way to improve the health of Iowa's forests.

#### 11. BUDGETS FOR TECHNICAL ASSISTANCE

Increasing pressure on State and Federal financial resources has continued to strain the ability of the State Forestry Bureau to deliver technical assistance to private woodland owners. If this trend continues it could mean a reduction in service forestry assistance to Iowans. Any reduction in technical assistance will further exacerbate the problems Iowa is already experiencing with its woodlands.

#### FOREST RESOURCES AT RISK:

While Iowa's forests have increased in the past twenty-five years, the quantity and quality of the state's woodlands are at considerable risk. The strong markets for traditional agricultural commodities in the 1960's and 1970's created landowner incentives to clear 34% of Iowa's existing woodlands. Without change in public concern for the forest resource and the development of a true land ethic, improved agricultural markets combined with booming urban/suburban development could again cause dramatic losses of woodland. Increases, especially in grazing and clearing, will not only devastate the forest resource, but also will also degrade wildlife habitat and water quality.

Improper management and harvesting are reducing the quality of many forested acres. The exceptionally strong markets for high quality hardwoods are resulting in the high-grading of many stands. The high-grading of the last 25 years is forcing log buyers and sawmills to cut and utilize increasingly smaller diameter and lower quality logs than they have in the past. The result is timber stands with little to no immediate economic, wildlife, and/or aesthetic value. It is these degraded woodlands that are most at risk to conversion or clearing.

Public education and landowner management assistance through the Forest Stewardship Program can reduce the risk of declining quantity and quality of the State's woodlands.

#### **EXISTING WOODLAND RESOURCE MANAGEMENT PROGRAMS:**

The Iowa Department of Natural Resources Forests and Prairies Division (IDNR F&PD) has expanded the number of forestry districts from six in the 1950's to thirteen in 2001. In addition three Eastern Iowa Forestry Districts have one Assistant District Forester on staff. In November of 1999 five additional field foresters were hired to promote private lands woodland management. These positions are funded through the sale of State Forest Nursery seedling stock.

The additional foresters have resulted in halved the backlog that has traditionally plagued most Forestry Districts. Prior to adding these positions it was not uncommon for landowners to wait three to six months for a field visit from their District Forester.

The District Foresters provide technical assistance to State and federal cost-share programs including Resource Enhancement and Protection (REAP), Forest lands Enhancement Program (FLEP), Conservation Reserve Program (CRP), Wildlife Habitat Incentive Program (WHIP), and the Environmental Quality Incentive Program (EQIP).

The Iowa State University Forestry Extension and IDNR Forests & Prairies Division co-sponsor the Master Woodland Managers Program. This program provides intensive training to private woodland managers in exchange for forestry related community service. Other Forestry Extension activities, generally cosponsored with IDNR, include Forestry Field Days, Forest Stewardship Conferences, publication of the Woodland Owners Newsletter, news releases, and other publications.

The Iowa Tree Farm Program certified its first Tree Farm in 1955. The Iowa Tree Farm System currently contains 1,087 Tree Farms on 90,105 acres. Eighty-nine of Iowa's ninety-nine counties contain at least one certified Tree Farm.

#### IMPLEMENTATION OF FOREST STEWARDSHIP

#### **WORKING GROUP:**

Implementation of the Forest Stewardship program will continue to be multi-disciplinary. The Stewardship Committee recommends establishment of an ongoing implementation-working group to operate within the guidelines set forth in this plan. The committee should consist of involved representatives from FSA, NRCS, Forestry Extension, DNR Parks & Preserves, Fish & Wildlife, and Forestry Bureaus. Chairman of the committee will be the IDNR Stewardship Coordinator. Each agency will select its own representatives.

#### LANDOWNER FOREST STEWARDSHIP PLANS:

A landowner Forest Stewardship Plan, prepared by a professional natural resource manager, is required for participation in Federal cost-share programs. The plan will include all contiguous forest acres and other land as mutually agreed upon by the plan preparer and the landowner. The plan requires District Forester approval as specified in Federal administrative procedures. Plans must identify and describe actions to be taken by the landowner to protect, manage, maintain, or enhance soil, water, prairie, aesthetic quality, recreation, timber, water, and fish and wildlife resources on such land that is compatible with the objectives of the landowner.

The basic components of Forest Stewardship Plans are: identify the plan, affirm management objectives, describe baseline habitat conditions, discuss management recommendations, and supply supplemental information pertinent to the plan. The following components should be found in each plan

- 1. Plan Identification The following components must be included:
  - a. Landowner name, address, phone number and signature
  - b. Plan preparer name, address, phone number and signature
  - c. Date of Plan
  - d. Legal Description
  - e. Stewardship acreage
- Management Objectives List the landowner's stewardship objectives. Objectives should be succinctly expressed and easily quantified.
- 3. Property Wide Resource Information A general property overview, including pertinent information on access, past and current uses, or significant features. Include interaction with adjacent properties.
- 4. Description of Baseline Habitat Conditions
  - a. Field Inspection
  - b. Maps
  - c. Cover Type/Stand information
    - i. Timber type
    - ii. Volume
    - iii. Growth
    - iv. Age
    - v. Species Composition
    - vi. Stocking
    - vii. Wildlife specific criteria
    - viii. Ground cover
    - ix. Canopy layers

#### x. Stand Diversity

- 5. Soils information Include information on important soil properties such as drainage, associated topography, productivity, and/or restrictive implications.
- 6. Threatened and endangered species/wildlife and fish use or potential usage Include any information on threatened and endangered and any information on wildlife and fish habitat and potential habitat improvement.
- 7. Water Quality Issues Watershed and water quality issues must be addressed in the Stewardship Plan. The Plan should be a guide to the preservation and protection of water quality. Consult the Iowa Best management practices manual for water quality guidelines.
- 8. Recreation and Aesthetics Address recreational and aesthetic opportunities that exist based on landowner objectives.
- 9. Historical or Cultural Resources If possible avoid disturbing the ground on or near historical sites.
- 10. Wetlands Do not route roads through wetlands and restrict timber-harvesting activities in wetland areas.
- 11. Cost-share programs List all pertinent and available State and Federal cost-share programs.
- 12. Timeline Provide a timeline for prescribed activities to occur. Specify when the plan will be updated.
- 13. Appendices Use appendices to support recommended practices, to better inform landowners, and to consolidate the various aspects of the Forest Stewardship Plan.

Any plan that does not contain the above mentioned components will not be considered a Forest Stewardship Plan.

#### PROGRAM DELIVERY SYSTEM:

The working group is responsible for the Forest Stewardship Program and its implementation. The minimum annual requirements are:

- 1. Draft updated revisions of the State Stewardship plan for the State Stewardship Committee to review.
- 2. Track and report the number of Stewardship plans and acres of accomplishments.
- 3. Support public awareness, landowner/citizen education programs and field days throughout the State.
- 4. Serve as advisors to the State Forester on the Forest Lands Enhancement Program

### ANNUAL STEWARDSHIP ACREAGE GOAL:

The annual acreage goal for landowner Stewardship accomplishments for the five year planning period is:

FY 2003 – 28,000 FY 2004 – 29,000 FY 2005 – 30,000 FY 2006 – 31,000 FY 2007 – 32,000

These goals are dependent upon adequate funding of Iowa's service forester

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